

ESTTA Tracking number: **ESTTA470874**Filing date: **05/04/2012**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following parties request to cancel indicated registration.

Petitioner Information

Name	Panagiotis Kalamoutsos		
Entity	Individual	Citizenship	UNITED STATES
Address	915 E Street NW #807 Washington, DC 20004 UNITED STATES		

Name	Antonis Karagounis		
Entity	Individual	Citizenship	GREECE
Address	1434 Buena Vista Avenue McLean, VA 22101 UNITED STATES		

Attorney information	Kurosh Nasser Law Offices of Kurosh Nasser PLLC 3207A M Street NW Third Floor Washington, DC 20007 UNITED STATES mail@kurosh.net, babatunde@kurosh.net Phone:202-457-0808
----------------------	--

Registration Subject to Cancellation

Registration No	4002126	Registration date	07/26/2011
Registrant	JD MEDIA GROUP, LLC 2049 VISTA DEL MAR LOS ANGELES, CA 90068 UNITED STATES		

Goods/Services Subject to Cancellation

Class 041. First Use: 2010/04/22 First Use In Commerce: 2010/04/22


All goods and services in the class are cancelled, namely: Entertainment services, namely, organizing and producing music events, concert tours, dance events, and social event gatherings that combine music with visual experiences

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Mark Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	3848090	Application Date	04/09/2010
-----------------------	---------	------------------	------------

Registration Date	09/14/2010	Foreign Priority Date	NONE
Word Mark	GLOW		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2003/04/15 First Use In Commerce: 2003/04/15 night club services; arranging and conducting night club entertainment events; arranging and conducting night club parties		

Attachments	85010759#TMSN.jpeg (1 page)(bytes) GLOWFEST RegNo4002126 Petition to Cancel.pdf (3 pages)(369367 bytes)
-------------	---

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Kurosh Nasseri/
Name	Kurosh Nasseri
Date	05/04/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re: Registration No. 4,002,126
Mark: GLOWFEST
Issue Date: July 26, 2011

ANTONIS KARAGOUNIS and
PANAGIOTIS KALAMOUTSOS

Petitioners,

v.

Cancellation No. _____

JD MEDIA GROUP, LLC

Respondent.

PETITION TO CANCEL

ANTONIS KARAGOUNIS, a citizen of Greece residing at 1434 Buena Vista Avenue, Mclean, Virginia 22101, and PANAGIOTIS KALAMOUTSOS, a citizen of the United States residing at 915 E Street NW #807, Washington, D.C. 20004 (hereinafter collectively "Petitioners"), believe that their business is being damaged by Registration No. 4,002,126, which issued July 26, 2011, and hereby petition to cancel the same.

The grounds for cancellation are as follows:

1. On information and belief, JD MEDIA GROUP, LLC (hereinafter "Respondent") is a limited liability company organized under the laws of Indiana with a place of business at 2049 Vista Del Mar, Los Angeles, California 90068.
2. On information and belief, Respondent is the record owner of U.S. Registration No. 4,002,126 for the GLOWFEST mark, which issued July 26, 2011 for "entertainment services, namely, organizing and producing music events, concert tours, dance events, and social event gatherings that combine music with visual experiences" in International Class 41. U.S. Registration 4,002,126 was based on an application filed in the U.S. Patent and Trademark Office on December 11, 2010.

3. On information and belief, Respondent is the record owner of U.S. Registration No. 4,002,126 for the GLOWFEST mark by virtue of an Assignment recorded in the Assignment Branch on August 19, 2011 at Reel 4608, Frame 0278.
4. Less than five years have elapsed since the date of registration of Respondent's GLOWFEST mark.
5. Petitioners are the record owners of U.S. Registration No. 3,848,090 for the GLOW mark, which issued September 14, 2010 for "night club services; arranging and conducting night club entertainment events; arranging and conducting night club parties" in International Class 41. U.S. Registration No. 3,848,090 was based on an application filed in the U.S. Patent and Trademark Office on April 9, 2010.
6. Petitioners are the record owners of U.S. Registration No. 3,848,090 for the GLOW mark by virtue of an Assignment recorded in the Assignment Branch on June 8, 2011 at Reel 4557, Frame 0097.
7. U.S. Registration No. 3,848,090 is *prima facie* evidence of the validity thereof and Petitioners' ownership and exclusive right to use the GLOW mark in commerce, and serves as constructive notice of Petitioners' ownership thereof, as provided by §§ 7(b) and 22 of the Federal Trademark Act of 1946, as amended.
8. Well prior to the issuance of and the dates of first use alleged in U.S. Registration 4,002,126 for the GLOWFEST mark, Petitioners adopted, used and continue to use the GLOW mark for the production of nightclub entertainment events and nightclub parties featuring live performances by musical performers and the playing of recorded music by disc jockeys.
9. Petitioners have produced nightclub entertainment events and nightclub parties featuring live performances by musical performers and the playing of recorded music by disc jockeys and have offered such services, through their websites <http://www.dcclubbing.com> and <http://www.clubglow.com> and other channels, under the GLOW mark since at least as early as April 15, 2003.
10. On information and belief, Respondent has offered its services through its website <http://glowfesttour.com> and other channels under the GLOWFEST mark since April 22, 2010.
11. There is a likelihood of confusion between Respondent's use of GLOWFEST and Petitioners' use of GLOW because the services described in U.S. Registration 4,002,126 for Respondent's GLOWFEST

mark and the services described in U.S. Registration No. 3,848,090 for Petitioners' GLOW mark are commercially related, and are likely marketed, sold and/or rendered to the same or overlapping classes of purchasers.

12. The services described in U.S. Registration 4,002,126 for Respondent's GLOWFEST mark involve substantially the same services described in U.S. Registration No. 3,848,090 for Petitioners' GLOW mark, namely, the production of entertainment events featuring electronic dance music ("EDM") artists performing live music and playing recorded music as disc jockeys.

13. Purchasers are likely to be confused, mistaken or deceived into believing that the services rendered by Respondent under the GLOWFEST mark emanate from and/or are in some way affiliated with or sponsored by Petitioners when in fact they are not.

14. For the reasons set forth above, Petitioners are being damaged by the continued registration of the GLOWFEST mark.

15. Petitioners, therefore, petition to cancel Registration No. 4,002,126 for the GLOWFEST mark under the provisions of Section 14 of the Lanham Trademark Act of July 15, 1946 (15 U.S.C. §1064).

WHEREFORE, Petitioners request that judgment be entered herein canceling U.S. Registration No. 4,002,126 for the GLOWFEST mark, and for such other and further relief that may be just and proper.

The requisite filing fee for this Petition to Cancel is submitted herewith.

Respectfully submitted,


/Kurosh Nasser/

Kurosh Nasser
Attorney for Petitioners

Law Offices of Kurosh Nasser PLLC
3207a M Street, NW 3rd Floor
Washington, DC 20007
Telephone: (202) 457-0808
Fax: (202) 457-0909

Dated: May 2, 2012